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10/593,453

09/19/2006

Frank-Martin Wille

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10/30/2008

Novak Druce & Quigg LLP
1300 I Street NW
Suite 1000 West Tower
Washington, DC 20005

EXAMINER

ALGAHAIM, HELAL A

ART UNIT

PAPER NUMBER

3663

MAIL DATE

DELIVERY MODE

10/30/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|-------------------------------------|--|
| Office Action Summary | Application No. 10/593,453 | Applicant(s) WILLE ET AL. | |
| | Examiner HELAL A. ALGAHAIM | Art Unit 3663 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/16/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims **1-10 and 15-17** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Claims **1, 2, 4 and 5** recite the term “**can be**”. Examiner not sure if the functions disclosed after the term “**can be**” are optional or required.
4. Claims 5, 6, 7 and 15-17 recite the term “**repeat time**”. Applicant needs to further clarify this term.
5. Claims 7 and 17 recite the terms “**repeat time or lapse time**”. Applicant needs to further clarify these terms.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims **1-17** are rejected under 35 U.S.C. 102(b) as being anticipated by **Inaba et al (Pub. No.: US 2002/0015035)**.

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Regarding claim **1**: Inaba et al discloses a control system for a motor vehicle with an output control for putting out an information item concerning the operation of motor vehicle and with a functional control, separated the generation or supply of information concerning the operation of motor vehicle, wherein the output control comprises an information memory for the storage of information concerning the operation of motor vehicle, whereby the information concerning the operation of motor vehicle can be read out of the information memory and can be put out by the output control (see at least fig. 1).

Regarding claim **2**: Inaba et al discloses a control system according to claim 1, wherein the information concerning the operation of motor vehicle can be read out of the information memory and can be put out by the output control in case of a request to put out the information concerning the operation of motor vehicle (**see at least paragraph 0037**).

Regarding claim **3**: Inaba et al discloses a control system according to claim 1, further comprising a communication link for transmitting the information concerning the operation of the motor vehicle from a functional control to the output control independent of a request to put out information concerning the operation of motor vehicle (**see at least fig. 1**).

Regarding claim **4**: Inaba et al discloses a control system according to claim 3, wherein the information concerning the operation of motor vehicle can be transmitted from the functional control to the output control in case of a change concerning the operation of motor vehicle by functional control (**see at least fig. 2**).

Regarding claim **5**: Inaba et al discloses a control system according to claim 3, wherein the information concerning the operation of motor vehicle can be transmitted from the functional control to the output control after expiration of a repeat time (**see at least paragraph 0085**).

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Regarding claim 6: Inaba et al discloses a control system according to claim 5, wherein by means of output control, one can monitor whether, within the repeat time, the information concerning the operation of motor vehicle was transmitted from the functional control to output control (**see at least paragraph 0049**).

Regarding claim 7: Inaba et al discloses a control system according to claim 5, wherein the information concerning the operation of motor vehicle out of the information memory cannot be put out by output control when the information concerning the operation of motor vehicle was not transmitted within the repeat time or a time lapse from the functional control to output control, whereby the time lapse is longer than the repeat time (**see paragraph 0086**).

Regarding claim 8: Inaba et al discloses a control system according to claim 1, wherein the output control comprises a display for the optical illustration of the information concerning the operation of motor vehicle (**see at least fig. 1**).

Regarding claim 9: Inaba et al discloses a control system according to claim 1, wherein the output control comprises an input device for the purpose of putting in a request for putting out and/or for optical illustration of the information concerning the operation of motor vehicle (**see fig. 1 , a1-an**).

Regarding claim 1: Inaba et al discloses a Motor vehicle, comprising a control system according to claim 1 (**see at least fig. 1**).

Claims 11-17 are rejected using the same prior art and same rationales as claims 1-10.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to HELAL A. ALGAHAIM whose telephone number is (571)270-5227. The examiner can normally be reached on Monday - Friday from 7:30 AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack W. Keith can be reached on 571-272-6878. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/H. A. A./
Examiner, Art Unit 3663

/Jack W. Keith/
Supervisory Patent Examiner, Art Unit 3663